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SUBJECT: EU LEADERS SEEK BALANCE ON ENLARGEMENT; TALK TOUGH
ON IRAN, SYRIA

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Classified By: Polmincouns Laurence Wohlers, for reasons 1.5 (d) and (e).

SUMMARY

1.(SBU) Meeting in Brussels on December 15, EU leaders concluded their uneventful European Council meeting by proclaiming an EU enlargement strategy based on the &three C,s8 formula coined by President Barroso: &consolidation (of the latest entrants), conditionality (strict criteria for all candidates) and communication (reaching out to citizens about the merits of enlargement), combined with the EU,s capacity to integrate new members.8 The leaders also issued conclusions setting out principles for a comprehensive European migration policy and enhancing the capacity of FRONTEX (the EU,s external borders management agency). As expected, no agreement was reached on enforcing the &passerelle8 clause for easing decision-making in judicial and police cooperation; the issue remains part of the broader debate on the future of the Constitutional Treaty. The leaders also issued political declarations on the Middle East Peace Process, Lebanon/Syria, Iran, Afghanistan, and African issues, and the Western Balkans. END SUMMARY

2.(U) As the Finnish Presidency had hoped, the December 14-15 European Council was a quiet affair. The EU Foreign Ministers meeting in the General Affairs and External Relations Council (GAERC) earlier in the week, had assured this outcome with the December 11 decision to &freeze8 up to eight chapters in the accession negotiations with Turkey while keeping the process on track (REF A), and to hand off the future of the Constitutional Treaty issues to the incoming German Presidency in 2007. Consequently, the key issues on the EU leaders, agenda were Iran, the Middle East, Sudan/Darfur, immigration, and EU enlargement. A full set of Council conclusions was e-mailed to EUR/ERA on December 12. The texts are also available on the official website of the European Council at <http://www.consilium.europa.eu>.

Middle East

3.(C) EU leaders issued a new political declaration on the Middle East Peace Process (said to be facing &one of the worst crises in years8). Separately, EU Foreign Ministers agreed to extend the current Temporary International Assistance Mechanism (TIM) to aid the Palestinian people for an additional three months. The EU slightly toughened its public stance toward Syria, urging it to &end all interference in Lebanese affairs8 and to &actively engage in the stabilization of Lebanon and the region.8 However,

the Council stopped short of calling on Syria to end its support for &forces determined to destabilize Lebanon and the region.⁸ (i.e., Hezbollah) A German Permrep contact firmly refuted a press room rumor that German FM Steinmeier had circulated to colleagues a non-paper on Syria.

Iran

4.(C) Council conclusions on Iran carried forward the EU,s current policy line in anticipation of imminent passage of a UNSC sanctions resolution in New York. EU leaders also fine-tuned their conclusions on Iran which lambasted the Iranian regime for canceling its human rights dialogue with the EU and for its role in a recent conference in Tehran to deny the Holocaust. According to a German contact (protect) neither the Council nor the GAERC held extensive discussions on Iran. The GAERC lunch discussion was extremely short (&no more than ten minutes or so⁸) because member states backed the passage of the resolution, and because session was almost completely dominated by the Cyprus ports issue (REF A).

Afghanistan

5.(U) EU leaders promised to look at conditions for a civilian ESDP mission in policing and the rule of law. An EU fact finding mission was expected to report to PSC Ambassadors in early January on the issue in advance of the January 22 GAERC.

Africa (Sudan/Darfur)

6.(C) EU leaders declared the security, humanitarian and human rights situation in Darfur appalling and called on the

BRUSSELS 00000091 002 OF 003

Government of Sudan to fulfill its responsibility to protect its citizens from violence and to put an end to impunity in Darfur. The Government of Sudan was also urged to consent to implementation of the entire U.N. support package for the African Union Mission in Sudan (AMIS) and urged GOS to fulfill its obligations under UNSCR 1591. EU leaders reiterated their commitment to peace efforts in Darfur (including AMIS support). Concurrently with the GAERC, U.S. Special Envoy for Sudan Andrew Natsios was in Brussels December 15-16 and met with EU High Representative Javier Solana and other EU officials to discuss strategies in Darfur. Solana and Natsios agreed on the need to implement then UNSYG Annan's Darfur plan, to engage regional players in negotiations, to refrain from making idle threats against Sudanese President Bashir's regime, and to reassure Bashir that the EU and U.S. are not seeking regime change in Sudan.

Western Balkans

7.(SBU) Given the NATO Riga Summit,s decision to expand Partnership for Peace for several Balkan countries and the Serbian January 21 parliamentary elections, EU leaders offered slightly more forward-leaning language than in the past on the possible resumption of talks with Serbia on a Stabilization and Association Agreement (SAA). Earlier in the week, EU FMs debated the tenor of its political signals to Belgrade on the SAA and needed cooperation with ICTY, Kosovo final status and the conduct of the January 21 Serbian elections. It is widely expected that the GAERC scheduled to meet on January 22) the day after the Serbian parliamentary elections -- will begin to reassess the situation (and presumably the current EU policy line) on Serbia,s SAA as well as Kosovo final status.

Enlargement

8.(C) According to an advisor to Hi Rep Solana, the Council,s reassessment of EU enlargement policy was an extensive &back and forth⁸ debate which allowed leaders to &clear the air⁸ on all the issues rather than reach new

decisions. A November 2006 European Commission paper (mandated by the June 2006 European Council) served to frame the leaders, EU institutions and a review of Croatia and Turkey,s process one year after the opening of accession negotiations. In the end, the Council Presidency,s Conclusions struck a balance between the EU need to keep commitments (especially toward the Western Balkans), to enforce conditionality in the enlargement process, and to ensure the effective functioning of EU institutions. The new approach is summarized in the new formula for enlargement coined by President Barroso,s &the three C,s8: consolidation (of the latest entrants); conditionality (strict criteria for all candidates); and communication (with European citizens about the merits of expansion).

9.(C) During the Council debate, member states were loosely gathered into three groups. The first group, led by Belgium and Spain, supported enlargement, but not at the cost of the strengthening and deepening the Union. They attached greatest importance to resolving the constitution question, and the deepening of integration in Justice and Home Affairs and economic policy. In that context, Spain and Luxembourg announced a joint initiative to host in their respective capitals a two-part &Friends of the Constitution8 ministerial-level forum in early 2007. (Note: A text of the December 14 invitation letter to EU member states was provided to EUR/ERA via fax.)

10.(C) Moreover, Belgian and EU contacts have indicated to us that the Belgian government is particularly keen to use the current constitutional crisis to move the Union forward to a new level of political integration. Belgium would consider a mini-treaty a step backward, and instead wishes to present a new and bolder proposal to the European electorate. While acknowledging the Belgians, good intentions, Solana,s advisor privately doubted the Belgians could produce a product that was both new and salable at the present time.

11.(C) The second group, led by the French and Dutch, clearly expressed doubts about EU enlargement per se. FM Bot was reportedly under heavy pressure to take a tough stance on the matter at the GAERC as well. Both countries, leaders characterized the enlargement process as &out of control8 and argued for the need to slow it down.

12.(C) The third and final group, spearheaded by the UK and Sweden, made a case for continuing the enlargement process. They were neither particularly concerned about the constitution nor were they particularly enthusiastic about

BRUSSELS 00000091 003 OF 003

further deepening of the Union. Essentially these countries approached the debate through the prism of the EU as only &an economic union plus.8

Constitutional Treaty

13.(U) On the basis of six months of confidential bilateral consultations with the 27, Finnish PM Vanhanen reported to EU leaders the EU Presidency,s assessment of next steps on the constitutional treaty. Vanhanen told reporters after the Council meeting that two main points to emerge from his consultations were that reform was needed and that the entire text could not be discarded and drafted from scratch. Vanhanen,s comment notwithstanding, Embassy Helsinki understands that the Finnish Presidency,s mandate in carrying out the EU-wide consultations was less to provide specific recommendations as to how the Constitutional process can be revived and moved forward, and more to simply take the temperature of the 27. The German Presidency, in turn, is expected to come up with specific recommendations on next steps based on the Finns initial report.

Justice and Home Affairs -- Migration

14.(U) The Finnish Presidency came to the Council meeting

frustrated with member states, failure to reach consensus to ease the JHA decision-making process through the possible use of passerelle. Germany consistently opposed approval of passerelle, viewing any such move as cherry-picking one aspect of institutional reform from the constitutional treaty. As a result, the Council merely reaffirmed its commitment to the principle of efficient decision-making.

15.(U) Vanhanen also told reporters after the meeting that the Council had agreed on elements to develop a common EU migration policy, and that there was broad agreement to enhance the capabilities of FRONTEX, the new agency for the integrated management of external borders. Barroso said it made no sense for EU countries to have 25 different migration policies, and the Commission is expected to submit concrete proposals during 2007. The push to enhance FRONTEX capabilities (and presumably budget) is based on continuing concerns about the large numbers of illegal immigrants arriving by sea on the EU's southern coasts.

OTHER ISSUES

----- China

16.(U) The GAERC took no decisions on the China arms embargo nor did it refer the matter to the European Council. The French had insisted on placing the China Arms Embargo (ref B) on the agenda in response to the Finnish Presidency's GAERC agenda item on the EU Code of Conduct for Arms Sales. The discussion that ensued reportedly broke no new ground. After the December 11 GAERC, European RELEX Commissioner Ferrero-Waldner announced that she would travel to Beijing to officially launch negotiation of a comprehensive partnership agreement⁸ with China.

Russia PCA

17.(SBU) Although Russia was not formally on the Council agenda, CFSP Hi Rep Solana and Poland's President Kackynzki met on the margins of the meeting to attempt to resolve the current impasse over the EU framework for negotiations with Russia for a new Partnership and Cooperation Agreement (PCA). Elements of the deal would have allowed Poland to lift its objection to the PCA negotiating framework in exchange for removal of the Russian ban on Polish meat exports after 50 days. The sequencing of the two reciprocal moves had yet to be determined. In any case, no solution emerged, as others -- reportedly including Germany -- preferred to defer resolution of the matter during their Presidency.

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